

PTO/5B/21 (07-08)

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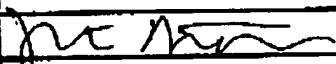
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10665,256	
	Filing Date	09/20/2003	
	First Named Inventor	KURUP, SHREE	
	Art Unit	3711	
	Examiner Name	MS. LEGESSE	
Total Number of Pages in This Submission	4	Attorney Docket Number	KURUP-3

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Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	ROBERT NATHANS		
Signature			
Printed name	ROBERT NATHANS		
Date	10-21-2008	Reg. No.	19558

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In re: Shree Kurup  
Application no. 10/665,256

Group art unit: 3711  
Examiner: Nini Legesse

Filed 09/20/2003

NOVELTY FRAMELESS EYE WEAR  
FOR PROMOTING SOCIABILITY

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REFUND REQUEST UNDER RULE 1.26

This is a request for a refund of \$260. The attached AX-1 shows a payment of \$515 whereas the correct fee for the notice of appeal should have been \$255.

AX-2 is a copy of the check bearing the information for electronic routing to my checking account. AX-3 (sample) shows the routing information more clearly.

Thank you,

Respectfully Submitted

  
Robert Nathans  
Attorney for applicant  
978-667-3060  
Robnathans@aol.com

OCT 21 2008

PAGE 3/4 - RCVD AT 10/21/2008 4:10:49 PM [Eastern Daylight Time] - SVR:USPTO-EF-XRF-6/10 - DNIS:2738300 - CSID:9786673060 - DURATION (mm:ss):01:52

PTO/SB/31 (05-05)

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>KURUP-3</b>	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] <b>09/22/2008</b> on _____ Signature <u><i>Robert Nathans</i></u> Typed or printed name <b>ROBERT NATHANS</b>		In re Application of <b>SHREE KURUP</b>	
		Application Number <b>10/665256</b>	Filed <b>09/20/2003</b>
		For <b>NOVELTY FRAMELESS EYEWEAR</b>	
		Art Unit <b>3711</b>	Examiner <b>MS. NINA LEGESSE</b>

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 1030

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 515

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**AX-1**

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I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/98)

☒ attorney or agent of record.  
Registration number 19558

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

*Robert Nathans*  
Signature  
**ROBERT NATHANS**  
Typed or printed name  
**978-687-3060**  
Telephone number  
**09/22/2008**  
Date

**NOTE:** Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,256	09/20/2003	Shree K. Kurup	KURUP-3	6918

7590  
ROBERT NATHANS  
36 STAG DRIVE  
BILLERICA, MA 01821  
08/26/2008

EXAMINER
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LEGESSE, NINI F

ART UNIT	PAPER NUMBER
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3711

MAIL DATE	DELIVERY MODE
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08/26/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



PTO/SB/31 (08-08)

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Docket Number (Optional)

KURUP-3

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on \_\_\_\_\_

Signature

Typed or printed name

ROBERT NATHANS

In re Application of  
**SHREE KURUP**Application Number  
10/665256Filed  
09/20/2003For **NOVELTY FRAMELESS EYEWEAR**

Art Unit

3711

Examiner

MS. NINA LEGESSE

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 1030☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:\$ 515☐ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Director has already been authorized to charge fees in this application to a Deposit Account.☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)☒ attorney or agent of record.

Registration number

19558  
Signature  
**ROBERT NATHANS**

Typed or printed name

978-667-3060

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

09/22/2008

Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.**☐ Total of 1 forms are submitted.

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